

**THE COMMON COUNCIL OF THE CITY OF NEW ALBANY,
INDIANA HELD A MEETING IN THE CITY/COUNTY BUILDING
ON THURSDAY, AUGUST 17, 2006.**

The meeting of the **New Albany City Council** was called to order by President Jeff Gahan at 7:31pm. The meeting opened with the Lord's Prayer and the Pledge of Allegiance.

MEMBERS PRESENT: Council Members Mr. Coffey, Mr. Schmidt, Mr. Price, Mr. Kochert, Mrs. Crump, Mr. Blevins, Mr. Messer, Mr. Seabrook, and President Jeff Gahan.

OTHERS: City Attorney Shane Gibson and City Clerk Marcey Wisman.

ALSO: John Rosenbarger, Adam Dickey, Scott Wood, Planning and Zoning, Brian Dixon, EMC, Paul Wheatley, Economic Development Director, Tony Toran, Director of City Operations and Mayor James E. Garner, Sr.

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Coffey moved to approve the minutes of the August 7 regular meeting, Mr. Schmidt second, all voted in favor.

Mr. Schmidt moved to approve the minutes of the August 7 public hearing, Mr. Price second, all voted in favor.

COMMUNICATIONS – PUBLIC:

Susan Johnson, 826 Elmwood, expressed thoughts on the need to a dual sewer and storm water engineer. She felt it should be a sanitary sewer engineer and that it would be a first step to taking back our sewer management. She had questions regarding what would happen when Georgetown opens their own plant. She also stressed that the EPA projects have to be done plus more. She feels that the sewer board needs to be restructured with the IC 25 because IC 23 says that sewers can go out 10 miles from the city.

Cathy Wicke, 216 E. Cottom Street, spoke on behalf of the communication workers. She gave a prepared statement asking for equality with the other union workers in regards to raising their pay and benefits of the communication workers. She asked that someone from the Council go to the County and ask for an appropriation from the 911 fund.

Mr. Coffey asked her to explain the 911 fund.

Mrs. Wicke explained that this money is collected as a 911 surcharge on everyone's phone bill and is suppose to be available to both the city and the county to use for the communications departments. She informed the council that the county dispatchers have already received some of these funds to increase their salaries.

Yvonne Kersey, 616 E. Main Street, supported Al Goodman for the engineer position on the Storm water Board. She discussed the \$270,000 from EDIT that was pledged for the sewer bonds in 1997 and that there was an additional \$270,000 pledge toward the sewer system. She voiced her frustrations over the proposed sewer increase.

Frank Lucchese, 616 E. Main Street, discussed the problem with the sewer system and expressed his frustration with the proposed sewer rate increase.

COMMUNICATIONS – CITY OFFICIALS:

Mr. Coffey stated that if it pleased the council he had planned on going to the county commissioners September 5 meeting and ask for the city's share of the 911 revenue. He

felt that the city and the communication workers were not getting their fair share of this money.

Mr. Seabrook reminded everyone that two years ago the chief came before the council and \$500,000 of the 911 funds was used to create the new dispatch office at the Fire House on Spring Street.

COMMUNICATIONS – MAYOR:

Mr. Fifer spoke on behalf of the Mayor and he apologized for the lateness of the information that they received this evening regarding the sewer increase. He explained the legal requirements for the public hearing and that they need to conclude what is before them by the end of this month otherwise the consequences would be worse than they are now.

Mr. Seabrook asked for clarification on whether or not anything needed to happen on the three sewer rate ordinances tonight.

Mr. Fifer stated that it did not and that they could schedule a special meeting at a later date, but prior to August 31, after the public hearing on August 23.

APPOINTMENTS:

Mr. Kochert moved to suspend the rules to amend the agenda, Mr. Messer second, after a show of hands the motion did not carry.

- Storm water Engineer

Mr. Gahan opened the floor for nominations for Storm Water engineer.

Mr. Coffey nominated Ms. Elizabeth Coyle.

Mr. Kochert nominated Mr. Al Goodman.

Mrs. Crump moved to vote by ballot, Mr. Coffey second, all voted in favor

Elizabeth Coyle was elected as the engineer with a majority vote

- Storm water Candidate

Mr. Gahan opened the floor for nominations for storm water candidate

Mr. Seabrook nominated Sam Asberry

Mr. Price nominated Valla Ann Bolovshak

Mr. Kochert nominated Tim Deatrick

Mr. Messer nominated Kevin Zurchmeide

There was a lengthy discussion as to how to determine the winning vote and how a tie vote would be handled.

Mrs. Crump motioned that the individual receiving the most votes shall be given the position; if there is a tie for the position there should be a second vote for the two individuals receiving the tie, Mr. Price second, all voted in favor except Mr. Gahan who voted nay.

Mr. Asberry was elected as the Storm Water member with a majority vote.

APPROVAL OF CF-1 FORMS:

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: READING

R-06-28	A Resolution Declaring An Emergency Requiring The Temporary Transfer of Funds for a Prescribed Period to a Depleted Fund for Cash flow Purposes Only	Schmidt
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Mr. Schmidt introduced R-06-28 and motioned for the reading by title only, Mr. Coffey second,

**There was discussion that this was a temporary loan until the next tax payment is received and would only be used if necessary and in increments.
All voted in favor by show of hands.**

R-06-29	Resolution to Make Garbage Containers Fall 2006 Payment for the Sanitation Department.	Price
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Mr. Price introduced R-06-29 and motioned for the reading by title only, Mr. Coffey second,

There was a lengthy discussion as to why this was not made a part of the sanitation contract and why they city should have to still pay for these cans.

Mrs. Garry explained that she understands their concerns, but that she needs to pay this bill.

all voted in favor except for Mr. Kochert who voted nay.

R-06-30	Resolution to Loan Sanitation Department \$157,216 For Fall Lease Payments on Six (6) Sanitation Trucks	Messer
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Mr. Messer introduced R-06-30 and motioned for the reading by title only, Mr. Crump second,

Mrs. Garry explained that the City will make the payment and that Southern Indiana Waste will make monthly payments to cover that payment.

Members of the council voiced their frustrations with this arrangement and with the fact that interest was not figured into these payments.

Resolution R-06-30 passed with aye votes from Mr. Schmidt, Mrs. Crump, Mr. Blevins, Mr. Messer and Mr. Seabrook; Mr. Coffey, Mr. Price, Mr. Kochert and Mr. Gahan voted nay.

R-06-31	Resolution to use Proceeds from E.D.I.T. Settlement To be Received in 2006 for Motor Vehicle Highway Fund’s Expenses in 2007 Budget Year.	Blevins
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Mr. Blevins tabled R-06-31.

A-06-05	Additional Appropriation	Price 1
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Mrs. Garry explained that this is medical claim money that needs to be appropriated to the Parks Medical Non-reverting Fund.

Mr. Price introduced A-06-05 and motioned for the first reading by title only, Mr. Crump second, all voted in favor.

A-06-06	Additional Appropriation	Coffey 1
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Mrs. Garry explained that this is grant and surplus money that needs to be appropriated into this fund.

Mr. Coffey introduced A-06-06 and motioned for the first reading by title only, Mr. Kochert second, all voted in favor.

A-06-07	Additional Appropriation	Messer 1
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Mrs. Garry explained that this needs to be appropriated because she underestimated that amount that needed to be budgeted last year. This money comes from the housing authority.

Mr. Messer introduced A-06-07 and motioned for the first reading by title only, Mr. Kochert second, all voted in favor.

G-06-15	Ordinance Establishing Individual Resident Only Parking Areas	Blevins 1
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Mr. Blevins tabled G-06-15 to take it before the board of Public Works and Safety.

Mr. Toran stated that this hasn't come before the board of Works and stated that he would be willing to work with a committee from this council.

Mr. Messer volunteered to be on this committee.

There was a lengthy discussion regarding the problems that could arise from this ordinance.

Z-06-20	An Ordinance for the Vacation of An Existing Utility Easement Pursuant to a Petition filed by Matthew Chalfant	Crump 1
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Mrs. Crump introduced Z-06-20 and motioned for the first reading by title only, Mr. Coffey second, all voted in favor.

Z-06-21	An Ordinance for the Vacation of a Public Way Pursuant to a Petition Filed by Melvin E. & Annella Barker and Cheryl L. Thompson	Crump 1
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Mrs. Crump introduced Z-06-21 and motioned for the first reading by title only, Mr. Seabrook second, all voted in favor.

A-06-04	An Ordinance Amending Ordinance No. A-05-46 Setting Salaries for the Year 2006 for Non- Bargaining Unit Employees	Messer 2 & 3
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Mr. Messer introduced A-06-04 and motioned for the second and third readings by title only, Mr. Coffey second, all voted in favor. Bill A-06-04 became ordinance A-06-27.

G-06-12	An Ordinance Amending Ordinance No. G-02-13 Establishing Rates and Charges for the Sewage Works Of the City of New Albany	Kochert 2 & 3
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Mr. Kochert tabled G-06-12 until after the public hearing.

G-06-13	An Ordinance Amending Ordinance No. G-02-17	Seabrook 2&3
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Mr. Seabrook commented that he came in with the intentions of introducing and voting no on the G-06-13 and G-06-14 and starting over, but he is willing to let this move on for a public hearing and he tabled them both.

Mr. Gahan stated that if they leave these as they are they will be going into the public hearing with a 19% increase.

Mr. Seabrook asked what the options are for changes at the public hearing.

Mr. Fifer explained that they are willing to get together at anytime before the public hearing to hash out what option they want to go with.

There was a lengthy discussion regarding their options for the rate increase and the legal matters regarding the public hearings.

Mr. Coffey voiced his concerns regarding the options for the sewer increase and made it clear that he will not vote for any rate increase.

There was a lengthy discourse regarding the spending that happened out of the sewer utility and that if it was paid back an increase would be unnecessary.

It was discussed that the council will discuss the options informally and let the administration know what option they would agree on by Monday so that changes can be made to the ordinances.

G-06-14	Ordinance Concerning the Refunding by the City Of New Albany of Certain Outstanding sewage works Revenue bonds; authorizing the issuance of certain Sewage works refunding revenue bonds for such Purpose; authorizing the issuance of sewage works revenue bonds for the purpose of providing funds to pay the cost of certain additions, extensions and improvements to the municipal sewage works of said City; providing for the collection, segregation and distribution of the revenues of the sewage works and the safeguarding of the interests of the owners of the sewage works revenue and refunding revenue bond; other matters connected therewith; and repealing ordinances inconsistent herewith	Seabrook 2&3
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Mr. Seabrook tabled G-06-14

Z-06-19	An Ordinance for the vacation of a Public Way Pursuant to a Petition filed by John B. Shine and Samtec, Inc., by Michael F. Ward, Attorney at Law	Blevins 2 & 3
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Mr. Blevins introduced Z-06-19 and motioned for the second and third readings by title only, Mr. Seabrook second, all voted in favor. Bill Z-06-19 became ordinance Z-06-28.

Mr. Price commented that he is still getting a lot of people calling complaining about the mess of the storm water billing.

There being no further business before the council, the meeting adjourned at 9:10 p.m.

Jeff Gahan, President
Common Council, City of New Albany

ATTEST: _____
Marcey Wisman, City Clerk